

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | Conf. #: 6904 |
| Paul A. Krieg |) | Art Unit: 1643 |
| Serial No. 10/799,417 |) | Examiner: Lynn Anne Bristol |
| Filed: March 12, 2004 |) | |
| For: METHODS FOR MODULATING |) | |
| ANGIOGENESIS WITH APELIN |) | |
| COMPOSITIONS |) | |

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Responsive to the Office Action mailed September 5, 2008, please reconsider the application in view of the following remarks. Please note that a Notice of Appeal to the Board of Patent Appeals and Interferences for the rejections presented on the Office Action dated September 5, 2008 with a petition for requesting a three-month extension of time were filed on March 5, 2009. Enclosed herewith is also a Request for Continuing Examination by the Applicants and a petition for a five-month extension of time after the Notice of Appeal was filed on March 5, 2009.

Applicants believe that no additional extensions of time or fees are required. However, if any such extensions of time or fees are necessary to prevent abandonment of this application, then such fees required therefore are hereby authorized to be charged to our Deposit Account No. 19-5029 (Ref. No. 20825-0004).

Amendments to the Claims are reflected in the listing of claims, which begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 5, 2009.


William L. Warren – Reg. No. 36,714